

UNITED STATES DISTRICT COURT

FOR THE

DISTRICT OF MASSACHUSETTS

Joseph Peter Schmitt, Pro se,)
Plaintiff,)
vs.)
Jeffrey Smith, et. al.,)
Defendants)

C.A. No. 04-10451-RWZ

PLAINTIFF'S EMERGENCY MOTION FOR EXTENSION OF
PLAINTIFF'S EMERGENCY MOTION FOR STAY OF ACTION [53]

Now comes the plaintiff in the above entitled action, Joseph Peter Schmitt, and moves this Honorable Court for an emergency extension of PLAINTIFF'S EMERGENCY MOTION FOR STAY OF ACTION, docket paper #53.

As grounds plaintiff states:

1. Plaintiff is a pro se litigant and does not have the legal know-how to argue his action beyond the point it presently is and is in the process of trying to obtain counsel.

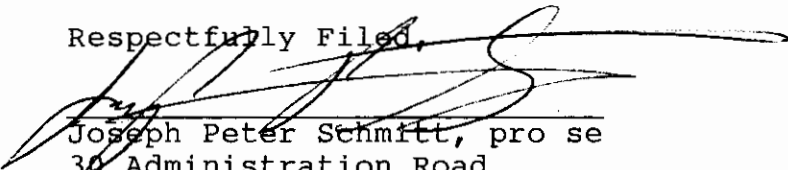
2. The defendants have confiscated a money order sent to him for the amount of \$800.00 and without his consent returned said money order to sender after detaining it for over two full months. Defendant's actions have prevented him from hiring counsel to represent him in this and related case, Schmitt vs Mulvey 04-10717-RWZ.

3. Plaintiff is in the process of both acquiring further funds and locating willing counsel to represent him.

WHEREFORE, Plaintiff requests an emergency extension of at least thirty (30) days and, if the court sees fit, to issue an ORDER to the defendants to cease all actions that prevent him from receiving and/or expending funds for legal purposes.

Dated: June 17, 2005

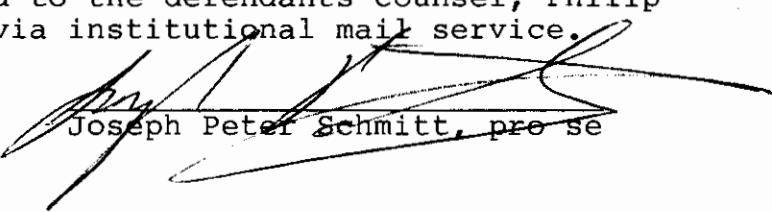
Respectfully Filed,



Joseph Peter Schmitt, pro se
30 Administration Road
Bridgewater, Ma. 02324-3230

certificate of service

I, Joseph Peter Schmitt, hereby certify that a true copy of the above document was served to the defendants counsel, Philip W. Silva, on June, 17, 2005 via institutional mail service.



Joseph Peter Schmitt, pro se